

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS

KEN MCDOWELL, individually and on behalf of those similarly situated,	)	
	)	
Plaintiff,	)	No.: 1-22-cv-01688
	)	
v.	)	Honorable Franklin U. Valderrama
	)	
MCDONALD'S CORPORATION,	)	
	)	
Defendant.	)	
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	)	
	)	
JOSEPH COLLORA, individually and on behalf of those similarly situated,	)	
	)	
Plaintiff,	)	No.: 1-22-cv-01904
	)	
v.	)	Honorable Franklin U. Valderrama
	)	
MCDONALD'S CORPORATION,	)	
	)	
Defendant.	)	
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**AGREED MOTION FOR CONSOLIDATION OF CASES,  
BRIEFING SCHEDULE, AND INITIAL STATUS CONFERENCE**

Plaintiff KEN McDOWELL in No. 1-22-cv-01688 ("McDowell"), Plaintiff JOSEPH COLLORA in No. 1-22-cv-01904 ("Collora"), and Defendant MCDONALD'S CORPORATION ("McDonald's") in both cases, through undersigned counsel, respectfully request that this Court consolidate these above-referenced cases for all purposes and issue an order setting the case schedule proposed below.

1. McDowell filed his Complaint on March 31, 2022 in *McDowell v. McDonald's Corporation* (1:22-cv-01688), and served McDonald's with the same on April

4, 2022. Pursuant to two agreed motions, the current deadline for McDonald's responsive pleading is June 20, 2022. (ECF Nos. 6 and 12 in No. 1-22-cv-01688.)

2. Plaintiff Joseph Collora filed his Complaint in the related matter, *Collora v. McDonald's Corporation* (1:22-cv-01904), on April 13, 2022, and served McDonald's with the same on April 20, 2022 via a request for waiver of service, resulting in a docketed responsive pleading deadline of June 20, 2022. (ECF No. 6 in No 1:22-cv-01904.)

3. On May 13, 2022, this Court granted Plaintiff McDowell's unopposed motion to relate the *McDowell* and *Collora* cases. (ECF No. 10 in No. 1:22-cv-01688.) This Court set a deadline of June 14, 2022 for the parties to file a joint initial status report. (ECF No. 10 in No. 1:22-cv-01904.) That date was later extended to June 27, 2022 (ECF No. 12 in No. 1-22-cv-01688.)

4. A third case, *Clark, et al. v. McDonald's Corp.*, No. 3:22-cv-00628-NJR (S.D. Ill.), involves substantially similar allegations and is presently pending in the Southern District of Illinois. In that case, on June 1, 2022, McDonald's filed a motion to dismiss and/or transfer the case, and the plaintiffs' opposition is due on July 1, 2022. (ECF No. 26-28 in No. 3:22-cv-00628-NJR (S.D. Ill.)) No reply brief or live hearing is anticipated.

5. Counsel in all three cases have met and conferred on case management issues in an attempt to create efficiencies for the courts and the parties. Those efforts have not resulted in agreement with respect to the *Clark* (S.D. Ill.) case, but they have resulted in this proposal for consolidation, a briefing schedule on McDonald's anticipated motion to dismiss, and a schedule for the initial status conference.

6. WHEREFORE, Plaintiffs McDowell and Collora and Defendant McDonald's respectfully request that the Court (a) consolidate the *McDowell* and *Collora* cases under Case No. 1-22-cv-01688; (b) set a **July 1, 2022** deadline for plaintiffs McDowell and Collora to file a Consolidated Amended Complaint ("CAC"); and (c) set the following case schedule, if it comports with the Court's calendar:

- **August 12, 2022:** Deadline for McDonald's to move to dismiss and otherwise respond to the CAC
- **September 22, 2022:** Deadline for McDowell and Collora to oppose McDonald's motion
- **October 6, 2022:** Deadline for McDonald's to reply to McDowell and Collora's opposition
- **October 10, 2022:** Deadline for the parties to meet and confer regarding the Initial Status Report
- **October 31, 2022:** Deadline for the parties to submit the Initial Status Report

Dated: June 17, 2022

Respectfully submitted,

*For Plaintiff Joseph Collora:*

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**CERTIFICATE OF SERVICE**

The undersigned counsel hereby certifies that the above filing was served upon counsel of record via the Court's electronic filing system on June 17, 2022.

/s/ Trenton H. Norris

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